

Serial No. **60208**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUL 12 1994 - NEW PRIORITY DATE: SEP 21 1999

Returned to applicant for correction.....

Corrected application filed..... Map filed JUL 12 1994 under 60207

The applicant Irwin S. Soper

Montgomery Lodge

of

via: Benton

Street and No. or P.O. Box No.

City or Town

CA 93512

State and Zip Code No.

hereby make... application for permission to change the

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #49701

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed .033 sec. feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Commercial & domestic (Commercial major use)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Commercial & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T2N, R33E, MDB&M from
Describe as being within a 40-acre subdivision of public survey and by course and
which point the SW corner of said Sec. 33 bears S 11° 16' 49" W 684.12'
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ of SE 1/4 Sec. 32, T2N, R33E, MDB&M
If point of diversion is not changed, do not answer.
from which point the SE corner of said Sec. 32 bears S 64° 26' 44" E 583.97'

7. Proposed place of use SW $\frac{1}{4}$ of SE $\frac{1}{4}$ - SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 32, T2N, R33E, and Lot 1, Sec. 5,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T1N, R33E, MDB&M

8. Existing place of use SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, T2N, R33E, MDB&M, Mineral
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
County, Nevada
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, submersible pumps, and pipelines
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works.....

13. Estimated time required to construct works completed

14. Estimated time required to complete the application of water to beneficial use.....in use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water is serving a restaurant/casino; 25 unit motel; 12 cabins; 3 homes;
and landscaping for all the above

By s/Lowell D. Emery
Lowell D. Emery SWRS, Agent
P.O. Box 84
Fallon, NV 89407
Compared.....bc/bc.....cl/cms.....
Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 49701 is issued subject to the terms and conditions imposed in said Permit 49701 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60207 and 60208 shall not exceed 6.4 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.033.....cubic feet per second....., but not to exceed 6.4 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....June 14, 1998
Proof of completion of work shall be filed before.....July 14, 1998
Application of water to beneficial use shall be made on or before.....June 14, 1999
Proof of the application of water to beneficial use shall be filed on or before.....July 14, 1999
Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....AUG 05 1998.....
Proof of beneficial use filed.....JAN 14 2000.....
Cultural map filed.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....17th.....day of.....June.....

A.D. 19.....97.....
Michael Turnipseed P.E.
State Engineer

Certificate No. 15394 Issued MAR 06 2000
CANCELLED SEP 09 1999
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
BECUSE OF FAILURE
Can rescinded 1-14-00